



Attorney Docket No.: 2101363-991201

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on March 27, 2002.

Ta-Tanisha L. Moore

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wenyan Shi, et al.

Serial No: 10/077,624

Group Art Unit: 1645

Filed: February 14, 2002

Examiner: Unknown

Title: ANTI-MICROBIAL TARGETING CHIMERIC PHARMACEUTICAL

\* \* \*

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF UTILITY PATENT APPLICATION**

Box MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the "Notice to File Missing Parts of Utility Patent Application" mailed by the United States Patent and Trademark Office on March 18, 2002. The following documents are enclosed to complete the filing of the above-referenced patent application:

1. Copy of Notice to File Missing Parts (1 pg.)
2. Executed Declaration of Inventors (5 pgs)
3. Two Assignment Documents
4. Two (2) checks totaling the amount of \$170 (one check in the amount of \$130 which represents payment of the missing parts surcharge; another in the amount of \$40 for recording the Assignment documents)
5. Return Postcard

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

Dated: 3/27/02

By 

Mark W. Ware

Reg. No. 43,360

Attorney for Applicant

GRAY CARY WARE & FREIDENRICH  
139 Townsend Street, Suite 400  
San Francisco, CA 94107-1922  
Telephone: (415) 836-2500

**CONFIRMATION NO. 2797**



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/077,624	02/14/2002	Wenyuan Shi	2101363-991201

CONFIRMATION NO. 2797

## FORMALITIES LETTER



Nan Wu  
Gray Cray Ware & Freidenrich LLP  
Suite 400  
139 Townsend Street  
San Francisco, CA 94124



Date Mailed: 03/18/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

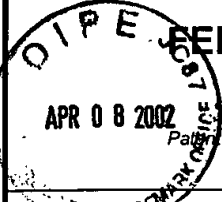
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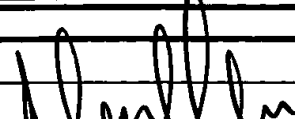
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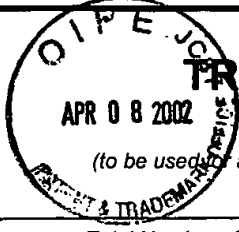
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Based on PTO/SB/17 (10-01)

 <b>FREE TRANSMITTAL</b> <b>for FY 2002</b> <small>Patent fees are subject to annual revision.</small>		<b>Complete if Known</b>	
		Application Number	10/077,624
		Filing Date	February 14, 2002
		First Named Inventor	Wenyuan Shi
		Examiner Name	Unknown
		Group Art Unit	1645
Attorney Docket No.		2101363-991201	
TOTAL AMOUNT OF PAYMENT		(\$170.00)	

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																																																				
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: <u>07-1896</u></p> <p>Deposit Account Name: <u>Gray Cary Ware &amp; Freidenrich LLP</u></p> <p><input checked="" type="checkbox"/> Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> <b>Payment Enclosed:</b></p> <p><input checked="" type="checkbox"/> Check in the amount of \$ <u>170.00</u></p>	<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>130.00</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - 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<b>SUBMITTED BY</b>			
Name (Print/Type)	Nan Wu	Registration No. (Attorney/Agent)	43,360
Signature		Telephone	(415) 836-2500
		Date	March 27, 2002

 <b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/077,624	
	<b>Filing Date</b>	February 14, 2002	
	<b>First Named Inventor</b>	Wenyuan Shi	
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<b>Total Number of Pages in This Submission</b>	18	<b>Attorney Docket Number</b>	2101363-991201

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Copy of Notice to File Missing Parts 2. Return postcard
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The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.


Dated: March 27, 2002

Respectfully submitted,

GRAY CARY WARE & FREDENRICH LLP

By: 

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CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231 on this date: <u>March 27, 2002</u>			
Typed or printed name	Ta-Tanisha L. Moore		
Signature		Date	March 27, 2002